

Section 12122. Criteria for the Issuance of Temporary Work Permits

The Executive Director shall issue a temporary work permit if all of the following requirements are met:

- (a) The applicant has applied for a temporary work permit by completing the Commission's work permit application form, requesting issuance of a temporary work permit by checking the appropriate box on the application form, and submitting with the application a nonrefundable \$25.00 temporary work permit fee, in addition to the regular work permit fee of ~~\$75.00~~ \$250.00 paid pursuant to Business and Professions Code section 19915.
- (b) The applicant has supplied all of the following to the Commission:
 - (1) The applicant's name, mailing address, residence street address (if different than mailing address), telephone number, e-mail address (optional), and date of birth.
 - (2) A two by two inch color passport-style photograph taken no more than 30 days before submission to the Commission of the work permit application, which shall be in addition to the photograph submitted for the regular work permit.
 - (3) Information concerning the gambling establishment in which the position is available: the name of the gambling establishment, mailing address, voice telephone number, facsimile number (if any), e-mail address (if any), the job title of the position, and the name of the owner, authorized agent, or hiring authority of the establishment.
 - (4) A Request for Live Scan Service (California Department of Justice Form BCII 8016, rev. 4/01,) confirming that the applicant has submitted his or her fingerprints to the Bureau for an automated background check and response.
- (c) Neither the application in its entirety nor the results of the investigation of the applicant reported by the Division to the Commission up until the date of issuance of the temporary work permit discloses any of the following:

- (1) The applicant has been convicted of any felony.
 - (2) The applicant has, within the 10-year period immediately preceding the submission of the application, been convicted of any of the following offenses, not including convictions which have been expunged or dismissed as provided by law:
 - (A) A misdemeanor involving a firearm or other deadly weapon.
 - (B) A misdemeanor involving gaming or gaming-related activities prohibited by Chapter 9 (commencing with section 319 and Chapter 10 (commencing with section 330) of Title 9 of Part 1 of the Penal Code.
 - (C) A misdemeanor involving a violation of an ordinance of any city, county, or city and county, which pertains to gambling or gambling-related activities.
 - (D) A misdemeanor involving violations of the Gambling Control Act.
 - (E) A misdemeanor involving dishonesty or moral turpitude.
 - (3) The applicant has had an application for a gambling license or work permit denied.
 - (4) The applicant has had a gambling license or work permit revoked.
 - (5) The applicant is disqualified under the Gambling Control Act or other provisions of law from holding a work permit.
- (d) The Division has reported one of the following to the Commission concerning the Request for Live Scan Service submitted to the Bureau:

- (1) A response has been received from the Bureau or Federal authorities that is consistent with a finding that the applicant has not sustained any disqualifying criminal convictions, or,
 - (2) No response from the Bureau or Federal authorities has been received within the time period set forth in subsection (b) of section 12126.
- (e) The application and other information obtained during the review does not disclose any factor indicating that approval of the temporary work permit may in the judgment of the Executive Director present a danger to the public or to the reputation of controlled gambling in this state.
- (f) The applicant is not ineligible under Business and Professions Code section 19859, subdivision (b), (e), (f), or (g), the terms of which are incorporated by reference and hereby expressly made applicable to applications for temporary work permits.

Authority: Sections 19811, 19823, 19824, 19840, 19841, and 19912, Business and Professions Code.

Reference: Sections 19811, 19816, 19823, 19859, and 19912, Business and Professions Code.